



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

(757) 518-2000 Fax (757) 518-2103

www.deq.virginia.gov

L. Preston Bryant, Jr.
Secretary of Natural Resources

David K. Paylor
Director

Francis L. Daniel
Regional Director

September 30, 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Renee Tyler, Town Manager
Town of Tangier
P. O. Box 244
Tangier, VA 23440

RE: Reissuance of VPDES Permit No. VA0067423
Town of Tangier WWTP
Tangier, VA

Dear Ms. Tyler:

The enclosed effluent limitations and monitoring requirements for the above referenced permit have been approved. Additionally, enclosed is a copy of the fact sheet page that describes public participation in the permit issuance process. Please replace the page in the fact sheet that you received with the draft permit with this page.

Your permit is also enclosed. In accordance with the permit, you are required to submit monitoring reports to the following address:

Department of Environmental Quality (DEQ)
Tidewater Regional Office
5636 Southern Boulevard
Virginia Beach, VA 23462

The reporting forms are included with the permit. These forms are similar to the ones currently used. You will be responsible for obtaining additional copies of the reporting forms. The first reports (DMRs) are due for the month of November 2009 by December 10, 2009.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director, Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

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Alternatively, any owner under Section 62.1-44.16, 62.1-44.17, and 62.1-44.19 of the State Water Control Law aggrieved by any action of the State Water Control Board taken without a formal hearing, or by inaction of the Board, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Board. Said petition must meet the requirements set forth in Section 1.23(b) of the Board's Procedural Rule No. 1. In cases involving actions of the Board, such petition must be filed within thirty days after notice of such action is mailed to such owner by certified mail.

A Reliability Class I is currently assigned to this facility and this facility has Class III licensed wastewater operator requirements.

Note that DEQ has launched an e-DMR program that allows you to submit the effluent data electronically. If you are interested in participating in this program please visit the following website for details:

<http://www.deq.virginia.gov/water/edmrfaq.html>

If you have any additional questions, please do not hesitate to contact Robert E. Smithson at 757-518-2106.

Sincerely,



James R. McConathy
Water Permit Manager

FLD/RES/res

cc: DEQ - OWPP, TRO File VA0067423
EPA - Region III (3WP12)
VDH - HQ, RO

Encl: Permit No. VA0067423
Revised Fact Sheet Page

Persons may comment in writing or by e-mail to the DEQ on the proposed reissuance of the permit within 30 days from the date of the first notice. Address all comments to the contact person listed below. Written or e-mail comments shall include the name, address, and telephone number of the writer, and shall contain a complete, concise statement of the factual basis for comments. Only those comments received within this period will be considered. The Director of the DEQ may decide to hold a public hearing if public response is significant. Requests for public hearings shall state the reason why a hearing is requested, the nature of the issues proposed to be raised in the public hearing and a brief explanation of how the requestor's interests would be directly and adversely affected by the proposed permit action.

All pertinent information is on file and may be inspected, and arrangements made for copying by contacting Robert E. Smithson at: Department of Environmental Quality (DEQ), Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462. Telephone: 757-518-2106 E-mail: robert.smithsonjr@deq.virginia.gov

Following the comment period, the Board will make a determination regarding the proposed reissuance. This determination will become effective, unless the Director grants a public hearing. Due notice of any public hearing will be given.

30. ADDITIONAL FACT SHEET COMMENTS/PERTINENT INFORMATION:

Nutrient monitoring and nutrient concentration limitations: annual load limitations are covered in Tangier's nutrient general permit. Since the town does not propose an upgrade to optimize nutrient removal, developing concentrations limitations at this time are not applicable to this reissuance. A nutrient reopener has been included as a special condition.

The facility utilizes dual ultraviolet (UV) banks for disinfection and chlorine feed as a backup in case of power failure. Therefore, chlorine limitations and language are in the permit in case of applicability.

Pursuant to the revised disinfection policy (9 VAC 25-260-170.B.) which states that Enterococci (saltwater) criteria is to be utilized in addition to fecal coliform criteria when shellfish waters exist. To meet this regulation, Enterococci limitations are included in this permit.

Fecal coliform monitoring for alternative disinfection (2 days/week for shellfish waters) was reduced in frequency with a 1997 permit modification/CO negotiation to 1/Week to reduce the contract laboratory costs incurred by the town. A good compliance history for this parameter in the past permit cycle justifies making no changes to this agreement.

Ammonia-N ($\text{NH}_3\text{-N}$) is not needed based upon an estimate of available dilution from the Chesapeake Bay, however nutrient monitoring every two weeks will be required via the nutrient general permit for dischargers to the Chesapeake Bay watershed. This general permit (VAN050004) was issued to comply with the Chesapeake Bay Tributary Strategy to meet future nutrient goals for the Bay. A nutrient reopener will be included in this permit. A TMDL Reopener has also been included, should one be developed during the life of the permit and there be a need to incorporate new limitations as a result.

A D.O. limit of 4.0 mg/l *minimum* (WQS for Class II waters) is in the permit to protect water quality in the Bay.

Effluent monitoring reduction was considered per standard guidance. A compliance history since year 2005 was reviewed for qualification. Refer to fact sheet pages 72-84 for compliance review - facility does not qualify for monitoring reduction at this time.